

**Notice of Allowability**

Application No.

08/925,208

Examiner

ARMANDO RODRIGUEZ

Applicant(s)

RICHARDSON ET AL.

Art Unit

2828

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to November 8, 2004.
2. ☒ The allowed claim(s) is/are 11-20.
3. ☒ The drawings filed on 08 March 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date November 8, 2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

Claims 11-20 are pending.

Claims 1-10 have been canceled.

The 35 USC 102 rejection of claims 1,2 and 5 is withdrawn based on applicant's amendment filed on November 8, 2004.

***Allowable Subject Matter***

Claims 11-20 are allowed.

The following is an examiner's statement of reasons for allowance:

After reviewing applicant's amendment, arguments and conducting an updated search none of the cited prior arts alone or in combination discloses the claimed broadband laser having the recited structural combination of independent claims 11,12,15,17,19 and 20.

Regarding claims 11-14,

None of the cited prior arts alone or in combination discloses the claimed broadband laser having the recited limitations of independent claims 11,12, where the structural combination in particular, the cavity with the gain medium, the tuneable spectral filter, frequency shifter and single mode fiber doped with rare earth, thereby providing a wavelength swept laser having a high average output without discontinuous wavelength tuning.

Regarding claims 15 and 16,

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None of the cited prior arts alone or in combination discloses the claimed broadband laser having the recited limitations of independent claims 15, where the structural combination in particular, the cavity with the gain medium, the tuneable spectral filter, frequency shifter and an output coupler having one narrow bandwidth optical filter, thereby providing a wavelength swept laser having a high average output without discontinuous wavelength tuning.

Regarding claims 17 and 18,

None of the cited prior arts alone or in combination discloses the claimed broadband laser having the recited limitations of independent claims 15, where the structural combination in particular, the cavity with the gain medium, the tuneable spectral filter, frequency shifter and independently controlling the tuneable spectral filter, thereby providing a wavelength swept laser having a high average output without discontinuous wavelength tuning.

Regarding claim 19,

None of the cited prior arts alone or in combination discloses the claimed broadband laser having the recited limitations of independent claims 19, where the structural combination in particular, the cavity with the gain medium, the tuneable spectral filter, frequency shifter and an array of environmentally-sensitive narrow-band reflectors, thereby providing a wavelength swept laser having a high average output without discontinuous wavelength tuning.

Regarding claim 20,

None of the cited prior arts alone or in combination discloses the claimed broadband laser having the recited limitations of independent claims 19, where the structural combination in particular, the cavity with the gain medium, the tuneable spectral filter, frequency shifter and at least one interferometer, thereby providing a wavelength swept laser having a high average output without discontinuous wavelength tuning.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARMANDO RODRIGUEZ whose telephone number is 571-272-1952. The examiner can normally be reached on 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MINSUN HARVEY can be reached on 571-272-1835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
ARMANDO RODRIGUEZ  
Examiner  
Art Unit 2828

  
MINSUN HARVEY  
SUPERVISOR  
Art Unit 2828

AR/MH